

Role of Scrutiny at the County Council

Policy and Resources Select Committee

25 June 2021



Background to Scrutiny

- Formal scrutiny introduced as part of the move to Executive Arrangements following the Local Government Act 2000
- Authorities operating Executive Arrangements must have at least one Scrutiny Committee (HCC currently has 5)

Role and purpose of Scrutiny

- To hold the Executive and the Council to account
- To make recommendations to the Executive or to the County Council arising from the scrutiny process
- To conduct research and analysis of policy issues and possible options
- To assist the Executive and the County Council in the development of the Budget and Policy Framework



Terms of Reference

Policy & Resources Select Committee

- Key Executive Members – Executive Member for Policy & Resources and Executive Member for Commercial Strategy, Estates and Property
- Key Department – Corporate Services (however remit is not limited to these)
- Reviewing how policies, services and decisions ensure effective use and management of all resources; how effectively is crosscutting/ corporate policy developed, implemented and performance evaluated and improved.
- Includes: Efficiency; Human Resources; Skills; Partnership Working (internal and external); Procurement; Relevant Financial Management (e.g. budget setting and monitoring final accounts, capital programme, capital receipts); asset and estate management; information management (including records management); communications; use of IT; Health and Safety; corporate policy and performance; Business
- Units; crime prevention; crime and disorder; Emergency Planning.



Crime and Disorder

- Reviewing and scrutinising decisions made, or other actions taken, in connection with the discharge of crime and disorder functions by the authorities responsible for crime and disorder strategies in relation to the County Council's area,.
- Making reports or recommendations to the County Council with regard to any matter which is a local crime and disorder matter in relation to a member of the County

Overseeing the Scrutiny Function

Role of this Committee to Coordinate Scrutiny:

- ensure resources of the scrutiny function effectively targeted
- ensure outputs and outcomes of Scrutiny are having impact and being evaluated
- prioritise topics for scrutiny thematic reviews
- provide an annual report to the County Council
- To monitor the operation of the provisions relating to call-in and urgency, submitting a report to Cabinet if necessary



Holding the Executive and the Council to Account

- Scrutinising decisions which the Executive is due to consider (Pre-scrutiny)
- Scrutinising Executive decisions that have been taken before they are implemented (Call-in)
- Scrutinising Executive decisions after they have been implemented, whether shortly afterwards or as part of a wider review of policy to measure their effect

Scrutiny of Decisions

- Issues to consider when scrutinising decisions:
 - Are decisions evidence based?
 - Has appropriate consultation been undertaken?
 - Do decisions reflect the County Council's priorities?
 - Have alternative options been considered?

Call-in

- Only applies where a decision has been made but not yet implemented
- Can only be done within 5 working days of the date members have been notified of the decision
- A quorum of members can call a meeting of a select committee to consider an executive decision. The Committee must meet within 14 days of the of meeting being called

Call in options

The Committee must decide whether or not to recommend:

- That the decision be reconsidered by the relevant decision maker
- Where the decision is not in line with the Policy or Budget Framework, that the County Council should take that decision



Effect of call-in

- Any decision which is not in line with the Policy or Budget Framework cannot be implemented until the call in has been disposed of
- Urgent Key Decisions cannot be called in although they can still be scrutinised by the committee



Items for the Agenda

- Any member of the Committee can request to put an item on the agenda of the next convenient meeting of the committee
- Any member of the County Council can refer a matter to a Select Committee provided it is relevant to the function of that committee
- The Executive or the County Council may request that a Committee considers a matter referred by them

Topic Suggestions

- Suggestions welcome at any time to the Chairman or Democratic Services
- Make clear the reason for the request – is there evidence this is an area of concern? (e.g. performance data, frequently raised by constituents) – is it a County wide rather than local issue?
- Member Briefing Programme takes place monthly – for information items

Agenda Formation

- Rolling Work Programme

Attendance at meetings – it is the duty of officers and the Executive Members to attend meetings of the Select Committee if required (others can be invited but aren't required to attend)

What will success look like?

- Scrutiny function is Member led
- Work programme is realistic, flexible and focused
- Topics are prioritised appropriately
- Reviews well scoped and project managed to ensure they are timely and improvement focused
- Time and resources directed where it can add most value
- Constructive and evidence based

Conclusion

- Role of scrutiny is wider than simply holding the Executive to account
- There needs to be an effective dialogue between scrutiny committees, the Executive and key officers to ensure that the work of committees contributes to policy setting and decision making

